

safety, safety of property, U.S. national security or foreign policy interests, or international obligations of the United States. The FAA advises any person who has requested a payload review of its determination, in writing. The notice states the reasons for the determination in the event of an unfavorable determination.

(b) Any person issued an unfavorable payload determination may respond to the reasons for the determination and request reconsideration.

**§ 415.63 Incorporation of payload determination in license application.**

A favorable payload determination issued for a payload or class of payload may be included by a license applicant as part of its application. However, any change in information provided under section 415.59 of this subpart must be reported in accordance with section 413.17 of this chapter. The FAA determines whether a favorable payload determination remains valid in light of reported changes and may conduct an additional payload review.

§§ 415.64–415.70 [Reserved]

**Subpart E [Reserved]**

**Subpart F—Safety Review and Approval for Launch of an Expendable Launch Vehicle From a Non-Federal Launch Site**

SOURCE: Docket No. FAA–2000–7953, 71 FR 50532, Aug. 25, 2006, unless otherwise noted.

§§ 415.91–415.100 [Reserved]

**§ 415.101 Scope and applicability.**

(a) This subpart F contains requirements that an applicant must meet to obtain a safety approval when applying for a license to launch an expendable launch vehicle from a non-Federal launch site. This subpart also contains administrative requirements for a safety review, such as when and how an applicant files the required information, and the requirements for the form and content of each submission.

(b) The requirements of this subpart apply to both orbital and suborbital expendable launch vehicles.

(c) An applicant must demonstrate, through the material filed with the FAA, its ability to comply with the requirements of part 417 of this chapter. To facilitate production of the information required by this subpart, an applicant should become familiar with the requirements of part 417 of this chapter.

(d) For a launch from an exclusive use launch site, where there is no licensed launch site operator, a launch operator must satisfy the requirements of this part and the public safety application requirements of part 420 of this chapter.

**§ 415.102 Definitions.**

For the purposes of this subpart, the definitions of § 417.3 and § 401.5 of this chapter apply.

**§ 415.103 General.**

(a) The FAA conducts a safety review to determine whether an applicant is capable of conducting launch processing and flight without jeopardizing public health and safety and safety of property. The FAA issues a safety approval to a license applicant if the applicant satisfies the requirements of this subpart and demonstrates that it will meet the safety responsibilities and requirements of part 417 of this chapter.

(b) The FAA advises an applicant, in writing, of any issue raised during a safety review that would impede issuance of a safety approval. The applicant may respond, in writing, or amend its license application as required by § 413.17 of this chapter.

(c) An applicant must make available to the FAA upon request a copy of any information incorporated into a license application by reference.

(d) A safety approval is part of the licensing record on which the FAA bases its licensing determination.

**§ 415.105 Pre-application consultation.**

(a) An applicant must participate in a pre-application consultation meeting, as required by § 413.5 of this chapter, prior to an applicant's preparation of the initial flight safety analysis required by § 415.115.

(b) At a pre-application consultation meeting, an applicant must provide as

complete a description of the planned launch or series of launches as available at the time. An applicant must provide the FAA the following information:

- (1) *Launch vehicle*. Description of:
  - (i) Launch vehicle;
  - (ii) Any flight termination system; and
  - (iii) All hazards associated with the launch vehicle and any payload, including the type and amounts of all propellants, explosives, toxic materials and any radionuclides.
- (2) *Proposed mission*.
  - (i) For an applicant applying for a launch specific license under §415.3(a), the apogee, perigee, and inclination of any orbital objects and each impact location of any stage or other component.
  - (ii) For an applicant applying for a launch operator license under §415.3(b), the planned range of trajectories and flight azimuths, and the range of apogees, perigees, and inclinations of any orbital objects and each impact location of any stage or other component.
- (3) *Potential launch site*.
  - (i) Name and location of the proposed launch site, including latitude and longitude of the proposed launch point;
  - (ii) Identity of any launch site operator of that site; and
  - (iii) Identification of any facilities at the launch site that will be used for launch processing and flight.

#### §415.107 Safety review document.

(a) An applicant must file a safety review document that contains all the information required by §§415.109–415.133. An applicant must file the information for a safety review document as required by the outline in appendix B of this part. An applicant must file a sufficiently complete safety review document, except for the ground safety analysis report, no later than six months before the applicant brings any launch vehicle to the proposed launch site.

(b) A launch operator's safety review document must:

- (1) Contain a glossary of unique terms and acronyms used in alphabetical order;
- (2) Contain a listing of all referenced standards, codes, and publications;

(3) Be logically organized, with a clear and consistent page numbering system and must identify cross-referenced topics;

(4) Use equations and mathematical relationships derived from or referenced to a recognized standard or text, and must define all algebraic parameters;

(5) Include the units of all numerical values provided; and

(6) Include a legend or key that identifies all symbols used for any schematic diagrams.

(c) An applicant's safety review document may include sections not required by appendix B of this part. An applicant must identify each added section by using the word "added" in front of the title of the section. In the first paragraph of the section, an applicant must explain any addition to the outline in appendix B of this part.

(d) If a safety review document section required by appendix B of this part does not apply to an applicant's proposed launch, an applicant must identify the sections in the application by the words "not applicable" preceding the title of the section. In the first paragraph of the section, an applicant must describe and justify why the section does not apply.

(e) An applicant may reference documentation previously filed with the FAA.

#### §415.109 Launch description.

An applicant's safety review document must contain the following information:

(a) *Launch site description*. An applicant must identify the proposed launch site and include the following:

- (1) Boundaries of the launch site;
- (2) Launch point location, including latitude and longitude;
- (3) Identity of any launch site operator of that proposed site; and
- (4) Identification of any facilities at the launch site that will be used for launch processing and flight.

(b) *Launch vehicle description*. An applicant must provide the following:

- (1) A written description of the launch vehicle. The description must include a table specifying the type and quantities of all hazardous materials on the launch vehicle and must include